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June 16, 2021

VIA ECF

The Honorable Zahid N. Quraishi
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: *UMG Records, Inc., et al. vs. RCN Telecom Services, LLC, et al.*
Civil Action No. 19-17272-MAS-ZNQ

Dear Judge Quraishi:

This firm represents Defendants in the above-referenced matter. We write jointly on behalf of Defendants, Plaintiffs, and Counterclaim-Defendants Rightscorp, Inc. and Recording Industry Association of America (“RIAA”) to request a thirty (30) day extension of the following two deadlines: (1) the deadline for the submission of written discovery disputes (currently June 28, 2021); and (2) the deadline for the close of fact discovery (currently September 28, 2021). *See* ECF No. 153. The parties also ask the Court to continue the conference scheduled for June 30, 2021 at 11:30 a.m., in which the Court expects to hear argument regarding any written discovery disputes. *See* ECF No. 155.

The parties agree that the requested extensions are necessary due to delays associated with document productions and the preparation of privilege logs. In the interest of efficiency, the parties agree that they should substantially complete their document productions and exchange privilege logs in advance of the deadline for submitting written discovery disputes, so that the parties can present as many such disputes as possible at that time.¹ However, Counterclaim-Defendant Rightscorp has yet to substantially complete its document production or serve a privilege log. Rightscorp expects to do so by July 9, 2021. Likewise, Counterclaim-Defendant RIAA has not yet served a privilege log. RIAA expects to do so by June 25, 2021. Additionally, while Plaintiffs and Defendants have exchanged privilege logs and believe their own document productions are substantially complete, the parties are still in the process of reviewing the

¹ The parties recognize that additional disputes regarding written discovery may come to light later, for example where a deficiency in a party’s document production is revealed in deposition.

materials produced by the other parties and believe that additional time to meet and confer on those matters would be beneficial. Finally, due to the parties' focus on written discovery, as well as pandemic-related circumstances, the parties have yet to conduct or schedule any depositions.

For these reasons, the parties respectfully request that the above deadlines be extended as follows: (1) the deadline for the submission of written discovery disputes be extended from June 28, 2021 to July 28, 2021; and (2) the deadline for the completion of all fact discovery be extended from September 28, 2021 to October 28, 2021. The parties further request that the Court continue the conference currently scheduled for June 30, 2021 at 11:30 a.m.

We have included a "So Ordered" provision at the end of this letter in the hope that this extension is acceptable to the Court.

Respectfully Submitted,

/s/

Edward F. Behm, Jr.

EFB:gc

CC: All counsel of record via ECF

The above Application is SO ORDERED this ____ day of June, 2021.

The Honorable Zahid N. Quraishi